



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10**

1200 Sixth Avenue, Suite 155
Seattle, WA 98101

ENFORCEMENT &
COMPLIANCE ASSURANCE
DIVISION

Reply To: 20-C04

RETURN RECEIPT REQUESTED

Mr. Lane Karabaic
Area Manager
Kinder Morgan Liquids Terminals, LLC
5880 NW St. Helens Road
Portland, Oregon 97210

Re: Information Request Regarding Kinder Morgan Liquid Terminals, LLC, Portland, OR

Dear Mr. Karabaic:

The Clean Air Act, 42 U.S.C. §§ 7401 *et seq.* (CAA or "Act"), at Section 114, 42 U.S.C. § 7414, authorizes the U.S. Environmental Protection Agency (EPA) to require submittal of information, among other things, to assess compliance with the Act and regulations promulgated pursuant to the Act. In accordance with Section 114(a) of the Act, this Request for Information ("Information Request") requires Kinder Morgan Liquids Terminals, LLC ("Kinder Morgan") to submit information with respect to its facility, located at 5880 NW St. Helens Road in Portland, Oregon 97210 ("Facility" or "Willbridge & Linton Terminals").

On June 22, 2022, EPA conducted an optical gas imaging survey of the gasoline and petroleum storage tanks at the Kinder Morgan Willbridge & Linton Terminals. Based on the optical gas imaging of emissions from roof vents on Tanks 84, 85, 101, 116, 123, 124, 128, and 134, as observed by a Forward Looking InfraRed (FLIR) camera, EPA is concerned that the internal floating roofs are not being operated and maintained to adequately minimize or prevent volatile organic compound (VOC) and associated hazardous air pollutant (HAP), emissions from these tanks.

Pursuant to Section 114 of the Act, this Information Request requires Kinder Morgan to submit all of the information described in Enclosure 1. Failure to submit the requested information is a violation of Section 114 of the Act and may result in an order to comply, an order for administrative penalties or a civil action for penalties and injunction requiring compliance pursuant to EPA's enforcement authority provided in Section 113(a) of the Act. See Enclosure 2. In accordance with Section 113(c)(2)(A) of the Act, any person who knowingly makes any false statement, representation, or certification, or who omits material information from or knowingly alters, conceals, or fails to file a response to this Information Request, may be subject to criminal action. Please ensure the enclosed Statement of Certification is signed by a duly authorized officer or agent of Kinder Morgan and returned with the response to this Information Request.

The information requested must be provided whether or not you regard part or all of it as a trade secret or confidential business information. Kinder Morgan may assert a confidentiality claim covering part or all of the information, pursuant to Section 114 of the CAA, 42 U.S.C. § 7414 and 40 C.F.R. Part 2, Subpart B, by placing on (or attaching to) the information, at the time it is submitted to EPA, a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret," "proprietary," "company confidential." Allegedly confidential portions of otherwise

non-confidential documents should be clearly identified by Kinder Morgan and may be submitted separately to facilitate identification and handling by EPA. Information covered by such a claim will be disclosed by EPA only to the extent and by the procedures set forth in statutes and 40 C.F.R. Part 2, Subpart B. See 40 C.F.R. § 2.301 for additional rules governing certain information obtained under the CAA. Unless you make a claim at the time you submit the information in the manner described in 40 C.F.R. § 2.203(b), it may be made available to the public by EPA without further notice to you. 40 CFR 2.203; see also 41 Fed. Reg. 36902 (Sept. 1, 1976).

Accordingly, you are hereby required to submit the following information within 45 days of your receipt of the request. If you anticipate being unable to fully respond to this Information Request by the specified date, you may request an extension within 15 days of receipt of this request. Include a justification for your extension request. If timely submitted, EPA will consider your request and may extend the deadline.

Submit your response to this Information Request or request for extension to Elly Walters, EPA Region 10, Seattle, Washington at walters.elizabeth@epa.gov.

Responses may be provided in electronic format in Word, Excel, PDF or TIFF formats. We ask you to upload all required information to the secured web link to be shared with you or identify another method to transfer electronic files.

Thank you for your cooperation. If you have any questions regarding this Information Request or wish to request an extension, please contact Elly Walters at (206) 553-6317 or at walters.elizabeth@epa.gov.

Sincerely,

Morgan Jencius
Chief
Air and Land Enforcement Branch

Enclosures

1. Information Request
2. Statement of Certification
3. Notice Regarding Proprietary/Confidential Business Information (CBI)

cc: Capital Corporate Services, Inc.
Registered Agent